

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ELIZABETH ROSCH,	)	
	)	
Plaintiff,	)	
	)	Case No. 1:15-cv-6184
v.	)	
	)	Honorable Judge Shadur
J.P. MORGAN CHASE BANK, N.A.,	)	
	)	
Defendant.	)	
	)	

**JOINT MOTION FOR SETTLEMENT APPROVAL**

Plaintiff Elizabeth Rosch (“Rosch” or “Plaintiff”) and Defendant J.P. MORGAN CHASE BANK, N.A. (“Chase” or “Defendant”), by and through their respective counsel, jointly move the Court to approve the settlement agreed to by the parties and submitted to chambers for *in camera* review. In support of this Motion, the parties state as follows:

1. On July 15, 2015, Plaintiff filed her Complaint in this matter asserting overtime claims against her former employer Chase under the Fair Labor Standards Act, 29 U.S.C. §201, *et seq.* and the Illinois Minimum Wage Law, 820 ILCS 115/1 *et seq.* [ECF No. 1]. Chase filed an answer denying the substantive allegations on September 14, 2015. [ECF No. 11].
2. After arms-length negotiations and the exchange of substantive information, the parties herein have agreed to a compromise between them in order to avoid the expense, inconvenience, uncertainty and delay of further litigation.
3. By way of background, Plaintiff’s Complaint pled that she believed the key evidence pertaining to her claims was set forth in her security badge swipe records, showing entry and exit from her place of employment. [ECF No. 1, ¶17].
4. As part of the parties’ settlement discussions, Chase produced Plaintiff’s security badge records, as well as various other records, including Plaintiff’s time and payroll records from the

relevant duration of her employment. After both parties reviewed and analyzed the relevant information, the parties engaged in arms-length negotiations between counsel. The parties have now reached a mutually satisfactory settlement which both sides agree represents a fair and reasonable compromise of any and all of Plaintiff's claims for alleged back wages, including any applicable overtime, arising from her employment with Chase.

5. When employees bring a private action against their former employer for alleged back wages under the FLSA, and the parties present to the district court a proposed settlement, the district court may enter a stipulated judgment dismissing the case after scrutinizing the settlement to insure that it is a fair and reasonable resolution of a bona fide dispute over wages under the FLSA. *See Walton v. United Consumers Club, Inc.*, 786 F.2d 303, 306 (7<sup>th</sup> Cir. 1986); *Lynn's Food Stores v. United States*, 679 F.2d 1350, 1355 (11<sup>th</sup> Cir. 1982).

6. Submitted herewith to chambers, for *in camera* review by the Court, is the Settlement Agreement entered into between Chase and Plaintiff, as well as a draft Order Approving Settlement. The parties respectfully request that this Settlement Agreement not become part of the record in this case.

7. The parties further jointly request that the Court approve the Settlement Agreement because it is a fair and reasonable resolution of bona fide disputes over wages under the FLSA and the IMWL.

8. In addition, parties request that the Court dismiss this case with prejudice pursuant to the terms of the Settlement Agreement. The parties have also submitted a proposed order to that effect to the Court's proposed order inbox.

WHEREFORE, for the foregoing reasons, the Parties respectfully request that this Court enter an Order approving the Settlement Agreement as a fair and reasonable resolution of bona fide disputes under the FLSA and the IMWL.

DATED: March 9, 2016.

Respectfully submitted,

By: /s/ Michael D. Ray  
One of the Attorneys for Defendant  
**J.P. MORGAN CHASE, N.A.**

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DATED: March 9, 2016.

Respectfully submitted,

By: /s/ Terrence Buehler  
One of the Attorneys for Plaintiff

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*Attorney for Plaintiff*

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that on March 9, 2016, the foregoing ***Joint Motion for Settlement Approval*** was filed electronically with the Clerk of Court using the ECF system, which sent notification of such filing to:

**Terrence Buehler  
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*Attorney for Plaintiff***

/s/ Michael D. Ray

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